

Message Text

LIMITED OFFICIAL USE

PAGE 01 IAEA V 03285 01 OF 02 252059Z

ACTION ACDA-10

INFO OCT-01 AF-10 ARA-06 EA-07 EUR-12 NEA-10 ISO-00
CIAE-00 INR-07 IO-13 L-03 NSAE-00 NSC-05 EB-08
NRC-05 OES-06 DODE-00 FEA-01 SS-15 SSO-00 NSCE-00
INRE-00 /119 W

-----252150Z 113581 /66

O 252013Z APR 77

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC IMMEDIATE NIACT 8996

INFO USERDA HQ WASHDC IMMEDIATE

USERDA HQ GERMANTOWN IMMEDIATE

USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 1 OF 2 IAEA VIENNA 3285

DEPT PASS IO/SCT

ACDA FOR DAVIES, GRAHAM; ERDA/ISA FOR DUFF; ERDA/OGC FOR
BRUSH;; GENEVA FOR BUCHHEIM

EO 11652: NA

TAGS: IAEA, PARM, TECH

SUBJECT: IAEA AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR PEACE-
FUL PURPOSES: WORKING GROUP DRAFT OF GOV/COM 23/22

1. ON APRIL 21, CHAIRMAN WILSON DISTRIBUTED A PROVISIONAL
DOCUMENT GOV/COM.23/22, ENTITLED QUOTE FACTORS INVOLVED IN THE
ESTABLISHMENT AND OPERATIONS OF AN INTERNATIONAL SERVICE
FOR NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES AS ENVISAGED
IN PARAGRAPH 1(C) OF THE RESOLUTION ADOPTED BY THE BOARD OF
GOVERNORS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY ON 13
SEPTEMBER 1974. END QUOTE.

2. WILSON'S STATED PURPOSE WAS TO PROVIDE A DOCUMENT FOR USE IN
THE REPORT DESCRIBING THE MANDATE PROVIDED TO THE GROUP BY THE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 IAEA V 03285 01 OF 02 252059Z

BOARD OF GOVERNOR AND SUMMERIZING THE GROUP'S REPORT.

3. WILSON'S DRAFT DOCUMENT WAS DISCUSSED AT LENGTH
DURING WORKING GROUP MEETINGS HALD APRIL 24-25. THE
DRAFT TEXT OF PARAS 1 THRU 7 OF 23/22 AS AMENDED BY THE WORKING
GROUP, AND AS IT WILL BE CONSIDERED IN FORTHCOMING PLENARY, IS
REPORTED BELOW. WORK ON ADDITIONAL PARAS OF 23/22 SUSPENDED

PENDING COMPLETION BY WORKING GROUP OF 23/21. ADDITIONAL PARAGRAPHS OF 23/22 AND ANY FURTHER REVISIONS WILL BE TRANSMITTED UPON COMPLETION.

4. WORKING GROUP DRAFT TEXT OF GOV/COM.23/22

FOLLOWS:

QUOTE: TITLE.FACTORS INVOLVED IN THE ESTABLISHMENT AND OPERATION OF AN INTERNATIONAL SERVICE FOR NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. END QUOTE TITLE.
QUOTE TEXT. 1. THE BOARD HAS REQUESTED ADVICE ON THE FACTORS INVOLVED IN THE ESTABLISHMENT AND OPERATION OF AN INTERNATIONAL SERVICE FOR PNE AS ENVISAGEE IN PARAGRAPH 1(C) OF THE RESOLUTION ON PNE OF 13 SEPTEMBER 1974. BY PARAGRAPH 1(C) OF THE LATTER RESOLUTION THE BOARD REQUESTED THE DIRECTOR GENERAL TO 'ESTABLISH WITHIN THE SECRETARIAT, WHEN THE NUMBER AND NATURE OF REQUESTS RECEIVED BY THE AGENCY FOR ASSISTANCE RELATED TO APPLICATIONS OF SUCH EXPLOSIONS INDICATE THE NEED TO DO SO A SEPARATE ORGANIZATIONAL UNIT WITH RESPONSIBILITY FOR THE PROVISIONS OF AN INTERNATIONAL SERVICE FOR SUCH EXPLOSIONS UNDER APPROPRIATE INTERNATIONAL OBSERVATION AND PROCEDURES AS WELL AS FOR ACTIVITIES PURSUANT TO THE PRECEDING SUB-PARAGRAPH.'

QUOTE 2 NOTING THAT THE AGENCY HAS ESTABLISHED A PNE UNIT WITHIN ITS SECRETARIA AND HAS ADOPTED THE PROCEDURES IN GOV/1691 FOR THE AGENCY TO USE IN RESPONDING TO REQUESTS. THE AD HOC GROUP HAS INTERPRETED ITS MANDATE AS BEING TO ADVISE THE BOARD LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 IAEA V 03285 01 OF 02 252059Z

ON THE FACTORS INVOLVED IN EXTENDING THE AGENCY'S ROLE IN ARRANGEMENTS FOR THE PROVISION OF PNE PROJECT SERVICES TO INCLUDE ALSO LATER PROJECT STAGES SUCH AS THE PROJECT DEFINITION, PROJECT EXECUTION, POST-PROJECT EVALUATION AND PROJECT TERMINATION PHASES OF PROJECTS CARRIED OUT UNDER AGENCY OBSERVATION AND PROCEDURES. ON THIS BASIS THE GROUP HAS GIVEN ITS ATTENTION BOTH TO THE AGENCY'S ROLE IN RESPONDING TO REQUESTS FOR PNE PROJECT SERVICES AND TO THE INTERNATIONAL LEGAL REGIME WHICH WOULD BE REQUIRED.

QUOTE 3 IN REGARD TO THE PROVISION OF NUCLEAR EXPLOSION RELATED SERVICES, THE AGENCY WOULD BE PREVENTED FROM GOING BEYOND ASSISTANCE IN ARRANGING THEIR SUPPLY BY NUCLEAR WEAPON STATES, BY REASON OF THE NON-PROLIFERATION OBJECTIVES REFLECTED IN ITS STATUTE. IF IT IS TO ASSIST IN ARRANGING FOR THE SUPPLY OF NUCLEAR EXPLOSION RELATED SERVICES. THE PARTICULAR COOPERATION OF THE NUCLEAR WEAPON STATES IN MAKING AVAILABLE SUCH SERVICES WOULD BE

REQUIRED. IT ALSO WOULD HAVE TO DECIDE, AMONGST OTHER THINGS, ON:

(I) THE NATURE AND SCOPE OF THE INFORMATION
WHICH A STATE OR STATES INVOLVED IN A PNE PROJECT SHOULD
PASS TO THE AGENCY AND THE CHANNEL FOR COMMUNICATING
THIS INFORMATION;

(II) THE WAY IN WHICH REQUESTS FOR THE PROVISION OF
NUCLEAR EXPLOSION RELATED SERVICES WOULD BE
CHANNELLED TO NUCLEAR WEAPON STATES.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 IAEA V 03285 02 OF 02 252124Z
ACTION ACDA-10

INFO OCT-01 AF-10 ARA-06 EA-07 EUR-12 NEA-10 ISO-00
CIAE-00 INR-07 IO-13 L-03 NSAE-00 NSC-05 EB-08
NRC-05 OES-06 DODE-00 FEA-01 SS-15 SSO-00 NSCE-00
INRE-00 /119 W

-----252158Z 113914 /66

O 252013Z APR 77

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC IMMEDIATE NIACT 8997

INFO USERDA HQ WASHDC IMMEDIATE

USERDA HQ GERMANTOWN IMMEDIATE

USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 2 OF 2 IAEA VIENNA 3285

DEPT PASS IO/SCT

ACDA FOR DAVIES; GRAHAM; ERDA/ISA FOR DUFF; ERDA/OGC FOR
BRUSH; GENEVA FOR BUCHHEIM

BEGIN BRACKETS (III) THE PARTICIPATION OF THE AGENCY IN THE MACHINERY
TO IMPLEMENT RELEVANT NON-DISCRIMINATION PROVISIONS. END BRACK-
ETS. TO BE IN A POSITION TO RESPOND TO REQUESTS FOR ANCILLARY
PNE PROJECT SERVICES THE AGENCY WOULD HAVE TO DECIDE,
AMONGST OTHER THINGS ON THE NATURE AND SCOPE OF THE
ECONOMIC, LEGAL, ENVIRONMENTAL, HEALTH AND SAFETY AND
TECHNICAL ASSESSMENTS WHICH IT MIGHT MAKE AVAILABLE
EITHER ALONE OR IN CONJUNCTION WITH OTHER INTERNATIONAL
ORGANIZATIONS, AND THE BASES ON WHICH IT MIGHT DO SO.

QUOTE 4 THE PRECISE CONTRIBUTION WHICH THE AGENCY MIGHT MAKE TO 'THE APPROPRIATE INTERNATIONAL OBSERVATION AND PROCEDURES' WOULD BE ONE OF THE MATTERS TO BE DEFINED WITHIN WHATEVER INTERNATIONAL PNE LEGAL REGIME MAY BE ESTABLISHED. IT SEEMS LIKELY THAT THE AGENCY'S LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 IAEA V 03285 02 OF 02 252124Z

CONTRIBUTION IN THIS RESPECT WOULD BE LARGELY LIMITED TO PROVIDING THE NECESSARY INTERNATIONAL OBSERVATION AND TO INVOLVING ITSELF IN THE HEALTH AND SAFETY AND OTHER REGULATORY AND CONTROL PROCEDURES TO THE EXTENT JUDGED APPROPRIATE IN THE LIGHT OF SUCH OBLIGATIONS AS THE AGENCY HAS ASSUMED OR MAY ASSUME UNDER SPECIFIC LEGAL AGREEMENTS.

QUOTE 5 THE AGENCY WOULD BE AUTHORIZED TO ENGAGE IN THE VARIOUS ACTIVITIES HERE ENVISAGED AS APPROPRIATE TO ITS POSSIBLE ROLE IN PROVIDING ANCILLARY PNE PROJECT SERVICES AS WELL AS CONTRIBUTING TO 'APPROPRIATE INTERNATIONAL OBSERVATION AND PROCEDURES' BY VIRTUE OF RELEVANT PROVISIONS IN ITS STATUTE.

QUOTE 6 ANY AGENCY ATTEMPT TO ESTABLISH AN INTERNATIONAL SERVICE FOR PNE AS ENVISAGED IN THE RESOLUTION OF THE BOARD OF GOVERNORS WOULD REQUIRE THE COOPERATION OF THE INTERNATIONAL COMMUNITY IN DEVELOPING A COVERING INTERNATIONAL PNE LEGAL REGIME. IN DOCUMENTS GOC/COM.23/...AND GOV/COM.23/13/REV 2 THE AD HOC GROUP HAS IDENTIFIED VARIOUS ALTERNATIVE LEGAL STRUCTURES FOR USE IN IMPLEMENTING ARTICLE V OF THE NPT ALONG WITH PRINCIPLES OR MATTERS TO BE CONSIDERED IN FORMULATING THE RELEVANT LEGAL INSTRUMENTS. THESE LEGAL STRUCTURES AND THE PRINCIPLES AND MATTERS TO BE CONSIDERED IN FORMULATING LEGAL INSTRUMENTS WOULD CONSTITUTE AN APPROPRIATE BASIS FOR THE ESTABLISHMENT OF ANY INTERNATIONAL SERVICE WHICH THE AGENCY MAY CHOOSE TO SET UP.

QUOTE 7 IF IT WERE TO BE DECIDED THAT THE AGENCY SHOULD PROCEED BY WAY OF ALTERNATIVE I (AN INTERNATIONAL MULTILATERAL AGREEMENT), THE AGENCY WOULD HAVE TO CONSIDER HOW TO BRING ABOUT THE NEGOTIATION OF THE COMPREHENSIVE MULTILATERAL AGREEMENT WHICH FORMS THE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 IAEA V 03285 02 OF 02 252124Z

CORNERSTONE OF THIS ALTERNATIVE. ONE WAY MIGHT BE FOR

THE AGENCY ITSELF TO CONVENE A DIPLOMATIC
CONFERENCE WITH A VIEW TO THE NEGOTIATION OF A
CONVENTION ESTABLISHING THE NECESSARY BINDING
PRINCIPLES AND PROCEDURES. IT MIGHT PROVIDE THE
CONFERENCE WITH A DRAFT CONVENTION AS A BASIS FOR

NEGOTIATION. END QUOTE TEXT.

5. ADDITIONAL PARAS YET TO BE DRAFTED FOR
GOC/COM.23/22 WILL DEAL WITH OTHER ALTERNATIVES
DESCRIBED IN GOV/COM.23/21; SOME DELS (MEXICO, FRG)
MAY SEEK TO INCLUDE A DISCUSSION OF HOW AND BY WHOM THE CHOICE
BETWEEN ALTERNATIVES IS TO BE MADE.

6. NOTE THAT "EXPLANATIONS" OF CERTAIN PHRASES APPEARING IN
DOC23/22 AND FOR USE ELSEWHERE IN REPORT WERE DEVELOPED IN
WORKING PARTY AS FOLLOWS: BEGIN QUOTE

A) "PNE PROJECT SERVICES" ARE THOSE ACTIVITIES WHICH ARE EITHER
ESSENTIAL FOR, OR ARE INTENDED TO ASSIST IN THE EXECUTION OF
A PROJECT IN A NON-NUCLEAR-WEAPON STATE FOR WHICH THE USE OF NUCLEAR
EXPLOSIONS FOR PEACEFUL PURPOSES IS UNDER CONSIDERATION OR FORESEEN.
PNE PROJECT SERVICES CAN BE DIVIDED INTO NUCLEAR EXPLOSIONS
RELATED SERVICES AND ANCILLIARY PNE PROJECT SERVICES.

B) "NUCLEAR EXPLOSION RELATED SERVICES" COULD BE PROVIDED ONLY
BY NUCLEAR-WEAPON STATES AND INCLUDE CUSTODY, SECURITY,
TRANSPORT EMPLACEMENT, ARMING AND FIRING OF THE NUCLEAR EXPLOSIVE
DEVICES AND ANY OTHER RELATED ACTIVITIES WHICH WOULD HAVE TO BE
CARRIED OUT BY THE SUPPLIER NUCLEAR-WEAPON STATE TO ACHIEVE NON-
PROLIFERATION OBJECTIVES.

C) "ANCILLIARY PNE-PROJECT SERVICES" ARE PNE PROJECT SERVICES
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 IAEA V 03285 02 OF 02 252124Z

OTHER THAN NUCLEAR EXPLOSION RELATED SERVICES AND MAY BE
OBTAINED FROM NUCLEAR-WEAPON STATES, NON-NUCLEAR-WEAPON STATES,
THE AGENCY OR OTHER INTERNATIONAL ORGANIZATIONS. END QUOTE. STONE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMITTEES, NUCLEAR EXPLOSIONS, PEACEFUL USES OF ATOMIC ENERGY
Control Number: n/a
Copy: SINGLE
Sent Date: 25-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977IAEAV03285
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770144-0081
Format: TEL
From: IAEA VIENNA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770424/aaaaatzi.tel
Line Count: 268
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a73d969f-c288-dd11-92da-001cc4696bcc
Office: ACTION ACDA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 07-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2708076
Secure: OPEN
Status: NATIVE
Subject: IAEA AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR PEACE- FUL PURPOSES: WORKING GROUP DRAFT OF GOV/COM 23/22
TAGS: PARM, TECH, XX, IAEA
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/a73d969f-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009